

UNITED STATES DISTRICT COURT
Northern District of California
San Francisco Division

PHOTOGRAPHIC ILLUSTRATORS
CORPORATION,

No. C 14-2010 VC

Plaintiff,

ORDER RE: ATTENDANCE AT ENE

v.

SPOT LIGHTING SUPPLIES, INC., et al.,

Date: December 11, 2014
Evaluator: Lynn Pasahow

Defendants.

Before the court are requests to excuse plaintiff's party representative and defendant's insurance claims adjuster from appearing in person at the December 11, 2014, ENE before Lynn Pasahow. The court GRANTS plaintiff's request and DENIES defendant's request.

ADR L.R. 5-10(d) requires that requests to be excused from appearing in person at an ENE may be granted when the moving party can demonstrate that requiring him or her to appear in person would cause 'extraordinary or otherwise unjustifiable hardship.' The court finds that concerns about plaintiff's representative's health meet this criteria, but does not find that defendant has shown how it would be caused 'extraordinary hardship' if its insurance claims adjuster is required to attend the ENE in person. Accordingly, plaintiff's party representative is excused from personal appearance while defendant's insurer representative is not.

The excused party shall be available at all times to participate telephonically in the mediation as set forth in ADR L.R. 5-10(f).

IT IS SO ORDERED.

December 2, 2014

By:

Dated


Maria-Elena James
United States Magistrate Judge